

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – A.P. Medical & Health Services – Dr. K. Jagannadha Rao, Medical Officer, Government Hospital, Samalkot, East Godavari district – Convicted in C.C. No. 124/84 – Punishment of 100% cut in pension and withholding of entire gratuity – Imposed – Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O. Ms. No. 260

Dated:09-11-2009

Read the following:-

- 1) Judgment of First Additional Judicial 1st Class Magistrate, Kakinda, Dated 25.7.1985 in C.C. No. 124/1984.
- 2) G.O. Rt. No. 293, Health Medical & Family Welfare (B2) Department, dated 29.07.1998.
- 3) Orders of A.P. Administrative Tribunal, dated 28.10.2004, in O.A. No. 1564/2000.
- 4) Govt. Memo. No. 11386/VC.I(1)/2000, Health Medical & Family Welfare (VC.I) Department, dated 20.08.2005.
- 5) Orders of A.P. Administrative Tribunal, dated 05.06.2007 in O.A. No. 7967/2005.

ORDER:

Whereas, Dr. K. Jagannadha Rao, Medical Officer, while working as Government Hospital, Samolkot, East Godavari district was involved in a Criminal case in Crime No. 1041/83 under section 324 IPC and was convicted by the First Additional Judicial 1st Class Magistrate, Kakinada in C.C. No. 124/84. In G.O. second read above, Government imposed a penalty of 25% cut in pension against the said Accused Officer, since he retired on 31.07.1996. Aggrieved by the said orders, the Accused Officer has filed O.A. No. 1564 of 2004 in the A.P. Administrative Tribunal. In its order dated 28.10.2004, the Hon'ble A.P. Administrative Tribunal has set aside the impugned orders but however, directed that this does not preclude the respondents from conducting fresh enquiry as per rules. After careful consideration, Government observed that the Accused Officer was convicted by the Trial Court on criminal misconduct and the appellate court has set aside only the sentence and upheld his conviction. Hence, there is no necessity to conduct enquiry afresh. Therefore, a provisional decision has been taken to impose a penalty of 100% cut in pension and gratuity in full permanently has been taken and in the reference fourth read above, a show cause notice was issued to him to make a representation against the provisional decision. The accused officer has filed O.A. No. 7967 of 2005 against the show cause notice issued to him. In the order dated 5.6.2007 the Hon'ble A.P. Administrative Tribunal dismissed the O.A. for default. So far, no explanation is received from the Accused officer, against the show cause notice.

2. After careful examination of the matter, Government have construed that the Accused Officer has no explanation to offer and decided to confirm the provisional decision. Government, accordingly, impose the penalty of withholding of 100% pension and gratuity in full permanently on Dr. K. Jagannadha Rao, Medical Officer (Retired).

3. The Director of Health, A.P., shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR

EX-OFFICIO SECRETARY TO GOVERNMENT

To

Dr. K. Jagannadha Rao, Medical Officer (Retired)
through the Director of Health, A.P. Hyderabad
The Director of Health, A.P., Hyderabad.

Copy to:

The Accountant General, A.P., Hyderabad.
Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER